

1 PHILLIP A. TALBERT
2 United States Attorney
3 ROBIN TUBESING
4 Assistant United States Attorney
5 2500 Tulare Street, Suite 4401
6 Fresno, CA 93721
7 Telephone: (559) 497-4000
8 Facsimile: (559) 497-4099

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10 Attorneys for the United States of America

11
12 IN THE UNITED STATES DISTRICT COURT
13
14 EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 DAVID ROMO,
19 Debtor.

20
21 WELL'S FARGO BANK, N.A.,
22 (and its Successors and Assignees)

23 Garnishee.

24 Case No.

25 **APPLICATION FOR
WRIT OF GARNISHMENT**

26 Criminal Case No. 2:11-CR-00209-KJM

27 The United States, in accordance with the Federal Debt Collection Procedures Act of 1990
28 (“FDCPA”), 28 U.S.C. § 3205(b)(1), requests that the Clerk of the United States District Court issue a
29 Writ of Garnishment against property up to and including the amount of \$7,265,875.84, held by Wells
30 Fargo Bank, N.A. (“Garnishee”) in which David Romo (“Debtor”) has an interest. Upon information
31 and belief, Debtor has a substantial nonexempt interest in property, as defined in 28 U.S.C. § 3002(12),
32 including community property in the name of his spouse, Stacey Romo, that is in the possession,
33 custody, or control of Garnishee.

1 On or about May 3, 2013, Debtor was sentenced in criminal case number 2:11-CR-00209-KJM
2 and ordered to pay a statutory assessment of \$100.00, and restitution of \$6,608.406.99 (“Judgment
3 Amount”). As of August 19, 2022, Debtor owes \$6,605,341.67. Despite the United States’ demand for
4 payment, made more than 30 days before the date of this Application, Debtor has failed to satisfy the
5 debt. No interest accrues on this debt. The United States also seeks to recover the statutorily authorized
6 ten percent (10%) litigation surcharge of the unpaid Judgment Amount (\$660,534.17) pursuant to 28
7 U.S.C. § 3011(a). The total amount sought by this garnishment action is \$7,265,875.84.

8 Debtor’s social security number is ***-**-3674. Debtor’s last known address is 7521
9 Brownwood Way, Sacramento, California 95822.

10 Stacey Romo’s social security number is ***-**-8929. Her last known address is 5609
11 Carmelita Way, Sacramento, California 95822.

12 When the Court sentenced Debtor and ordered Debtor to pay restitution and/or a fine, a lien
13 arose in favor of the United States on all property and rights to property as if the liability “were a
14 liability for a tax assessed under the Internal Revenue Code of 1986,” pursuant to 18 U.S.C. § 3613(c).
15 This includes community property held in either Debtor’s or Debtor-spouse’s name. See Cal. Fam.
16 Code § 760.

17 Accordingly, the United States respectfully requests that the Clerk issue a Writ of Garnishment
18 in accordance with the FDCPA.

19 Respectfully submitted,

20 Dated: August 25, 2022

PHILLIP A. TALBERT
United States Attorney

22 By: /s/ ROBIN TUBESING
23 ROBING TUBESING
24 Assistant United States Attorney